

(Washington, DC) – U.S. Representative Chet Edwards (TX17) has introduced the PROTECT Our Children Act of 2010 (Providing Retention of Telephone and Electronic Communication Technology). The legislation, H.R. 6027, enables law enforcement to access internet records with legal authorization such as a subpoena or search warrant to investigate sexual predators preying on children. Congressman Dan Lungren, Republican of California, is the co-author of the legislation.

*“This issue has been discussed in Washington for a long time and it’s time to stop talking and do something about it,” **said Edwards**. “This bill is designed to give law enforcement the tools they need to track down and arrest child pornographers. As the father of two sons, I can think of nothing more important than protecting our children from sexual predators.”*

The **PROTECT Our Children Act of 2010** requires internet service providers such as Verizon or Cox or online service providers such as Yahoo or YouTube to retain data connected to the identity of a user for a period of at least two years. Already, some internet service providers like Cox retain data for up to 6 months, and online service provider, Google, retains IP addresses for 18 months. With new technology, the costs of data storage have dropped exponentially. Edwards has been working on this legislation for over a year and before filing legislation waiting for a congressional report from the Online Safety and Technology Working Group that was completed in July entitled [“Youth Safety on a Living Internet”](#). In this report, the law enforcement community, once again expressed *“that better data retention will allow law enforcement to solve more crimes involving the sexual exploitation of children.”*

In 2008, **FBI Director Robert Mueller** called on Congress for data retention laws and said *“record retention by ISPs would be tremendously helpful in giving us a historic basis to make a case on a number of child pornographers who use the Internet to push their pornography or lure children.”*

In 2006, the

International Association of Chiefs of Police

passed a resolution calling for the

“retention of customer subscriber information, and source and destination information for a minimum specified reasonable period of time so that it will be available to the law enforcement community.”

In the first quarter of 2010, nearly 400,000 suspected child pornography images and videos were reported to the **National Center for Missing and Exploited Children**, who has found the number of children who reported enticement into sexual activity by adults has increased by 714% since 1998. With 93% of American teens using the internet, these figures are bound to keep increasing. Online child pornography/child sexual exploitation investigations, which are worked under the FBI's Innocent Images National Initiative, accounted for 39 percent of all investigations worked under the FBI's Cyber Division in fiscal year 2007. Innocent Images grew exponentially between fiscal years 1996 and 2007 with a 2062% increase in cases opened.

“Although we have made strides to protect our children from predators, there is still an absence of any uniform, industry wide, minimum practice to retain this data, so internet child predators can effectively hide behind temporary IP addresses that are too quickly discarded by companies,” **said Edwards.**

Telephone companies have been required to adhere to record retention since 1986. Today,

these records are vital to our criminal and civil justice system and continue to be used routinely by both the prosecution and defense in criminal cases, including cases involving the abuse of children. Although Congress has passed laws that require ISPs and remote computing service providers to preserve records for 90 to 180 days upon law enforcement requests, this system completely fails in the many situations where a crime is not promptly reported, where evidence is obtained from foreign law enforcement, and where forensic delays prevent the tracing of the offender before the data has been deleted by the provider.

The legislation has been referred to the House Judiciary Committee.

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